

Amendment and Response under 37 C.F.R. 1.116

Applicant: Thomas H. Ottenheimer

Serial No.: 10/601,150

Filed: June 20, 2003

Docket No.: 10019119-4

Title: SLOTTED SUBSTRATE AND METHOD OF MAKING

REMARKS

The following Remarks are made in response to the Final Office Action mailed March 9, 2005, in which claims 1-23 and 28-32 were allowed, claims 24 and 25 were rejected, and claims 26 and 27 were objected to. With this amendment, claim 25 has been cancelled without prejudice, and claims 10, 24, and 26 have been amended, including allowable claim 26 which has been rewritten in independent form. Claims 1-24 and 26-32, therefore, remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 102

Claims 24 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Baughman et al. U.S. Patent No. 5,441,593.

With this Amendment, claim 25 has been cancelled without prejudice. The rejection of claim 25 under 35 U.S.C. 102(b), therefore, is rendered moot.

With this Amendment, independent claim 24 has been amended to clarify that the slot portion is received in the substrate between first and second surfaces with the slot portion having a central region and a pair of terminal regions, and extending along an axis passing through the central region and the terminal regions without intersecting the first and second surfaces.

With respect to the Baughman et al. patent, this patent does not teach or suggest a substrate as claimed in independent claim 24 including a slot portion received in the substrate between first and second surfaces with the slot portion having a central region and a pair of terminal regions, and extending along an axis passing through the central region and the terminal regions without intersecting the first and second surfaces.

In view of the above, Applicant submits that independent claim 24 is patentably distinct from the Baughman et al. patent and, therefore, is in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claim 24 under 35 U.S.C. 102(b) be reconsidered and withdrawn and that claim 24 be allowed.

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Allowable Subject Matter

Claims 1-23 and 28-32 are allowed. Applicant appreciates the indicated allowance of these claims.

Claims 26 and 27 are objected to as being dependent upon a rejected base claim and are indicated as being allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Applicant agrees with the Examiner's conclusions regarding patentability without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, Applicant submits that the above-identified claims are allowable because the prior art fails to teach, anticipate or render obvious the invention as claimed, independent of how the invention is paraphrased.

With this Amendment, allowed claim 10 has been amended to correct a grammatical error.

With this Amendment, Applicant has rewritten allowable claim 26 in independent form to include all of the limitations of the base claim (claim 25) and any intervening claims (none). As rewritten claim 26 is now believed to be in allowable form, Applicant respectfully submits that dependent claim 27 is allowable in dependent form. Applicant, therefore, respectfully requests that the objection to claims 26 and 27 be withdrawn and that claims 26 and 27 be allowed.

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Title: **SLOTTED SUBSTRATE AND METHOD OF MAKING****CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1-24 and 26-32 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either James R. McDaniel at Telephone No. (208) 396-4095, Facsimile No. (858) 655-5859 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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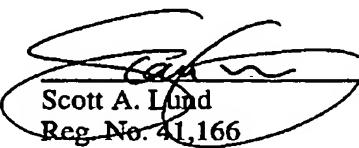
Respectfully submitted,

Thomas H. Ottenheimer et al.,

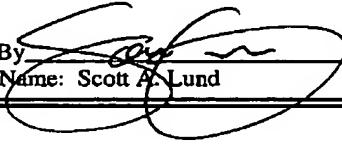
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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on this 9TH day of May, 2005.


By _____
Name: Scott A. Lund